

section 751(c)(5)(B) of the Act. The final results of these reviews will, therefore, be due not later than November 30, 1999.

Dated: April 26, 1999.

Richard W. Moreland,
Acting Assistant Secretary for Import Administration.

[FR Doc. 99-11017 Filed 4-30-99; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C-333-401]

Cotton Shop Towels From Peru: Extension of Time Limit for Preliminary Results of Five-Year Review

AGENCY: Import Administration,
International Trade Administration,
Department of Commerce.

ACTION: Notice of extension of time limit
for preliminary results of five-year
("sunset") review.

SUMMARY: The Department of Commerce ("the Department") is extending the time limit for the preliminary results of the sunset review on the suspended countervailing duty investigation on cotton shop towels from Peru. Based on adequate responses from domestic and respondent interested parties, the Department is conducting a full sunset review to determine whether revocation of the order would be likely to lead to continuation or recurrence of a countervailable subsidy. As a result of this extension, the Department intends to issue its preliminary results not later than July 23, 1999.

EFFECTIVE DATE: May 3, 1999.

FOR FURTHER INFORMATION CONTACT:
Darla D. Brown or Melissa G. Skinner,
Import Administration, International
Trade Administration, U.S. Department
of Commerce, Pennsylvania Avenue and
14th Street, N.W., Washington, D.C.
20230; telephone: (202) 482-3207 or
(202) 482-1560 respectively.

Extension of Preliminary Results

The Department has determined that the sunset review of the suspended countervailing duty investigation on cotton shop towels from Peru is extraordinarily complicated. In accordance with section 751(c)(5)(C)(v) of the Tariff Act of 1930, as amended ("the Act"), the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). See section 751(c)(6)(C) of the Act. The Department is extending the time limit

for completion of the preliminary results of this review until not later than July 23, 1999, in accordance with section 751(c)(5)(B) of the Act. The final results of this review will, therefore, be due not later than November 30, 1999.

Dated: April 26, 1999.

Richard W. Moreland,
Acting Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

[Docket No. 970424097-9097-04]

RIN 0625-ZA05

Market Development Cooperator Program

AGENCY: International Trade
Administration (ITA), Commerce.

ACTION: Notice.

SUMMARY: ITA promotes U.S. exports and works to improve the global competitiveness of the United States, creating jobs for Americans. ITA administers the Market Development Cooperator Program (MDCP) to build public/private export marketing partnerships. The MDCP is a competitive matching grants program that provides federal assistance to export multipliers such as state trade departments, trade associations, chambers of commerce, world trade centers and other non-profit industry organizations that are particularly effective in reaching small-and medium-size enterprises (SMEs). MDCP awards help to underwrite the start-up costs of new export promotion ventures which these groups are often reluctant to undertake without federal government support.

The MDCP aims to:

- Challenge the private sector to think strategically about foreign markets;
- Be the catalyst that spurs private-sector innovation and investment in export marketing; and
- Increase the number of American companies, particularly SMEs, taking decisive export actions.

The advantage of a joint effort is that it permits the federal government to pool expertise and funds with non-federal sources so that each maximizes its market development resources. Partnerships of this sort can provide a sharper focus on long-term export market development than do traditional trade promotion activities. These partnerships also serve as a mechanism

for improving government-industry relations.

While ITA sponsors, guides and partially funds MDCP projects, ITA expects applicants to develop, initiate and provide matching funding to carry out market development project activities. As an active partner, ITA will, as appropriate, provide assistance that the applicant identifies as essential to the achievement of project goals and objectives. U.S. industry is best able to assess its problems and needs in the foreign marketplace and to recommend innovative solutions and programs that can be the formula to success in international trade.

Examples of activities that might be included in an applicant's project proposal are described below under "Program Description." No one or any combination of these activities must be included for a proposal to receive favorable consideration. ITA encourages applicants to propose activities that (1) would be most appropriate to the market development needs of their industry or industries; and (2) display the imagination and innovation of the applicants working in partnership with the government to obtain the maximum market development impact.

A public meeting will be held to provide general information to potential applicants regarding MDCP procedures, selection process, and proposal preparation. No discussion of specific proposals will occur at this meeting. Attendance at this public meeting by potential applicants is not required.

DATES: Public Meeting: ITA will hold a public meeting to discuss MDCP proposal preparation, procedures, and selection process on May 21, 1999. The meeting will begin at 10:00 a.m. in Room 1863, at the Herbert Clark Hoover Building, 14th and Constitution Avenue, N.W., Washington, D.C.

Pre-Application Counseling: The Office of Planning, Coordination and Resource Management (OPCRM) is available to answer questions regarding the application process. ITA invites all prospective applicants to contact OPCRM as soon as possible with any questions about application requirements, evaluation factors, and the selection process. Prospective applicants are particularly encouraged to seek advice on their eligibility to apply for and receive MDCP funding. Applicants with questions are advised to continue working on their proposals. Absolutely no extensions of the deadline for submitting complete applications will be granted.

Applications: Complete applications must be received no later than 5:00 p.m.

Eastern Daylight Time, June 21, 1999. Late or incomplete applications will not be accepted. They will be returned to the sender or destroyed if the applicant prefers.

Please send complete applications (original with at least two (2) copies) to the Office of Planning, Coordination and Resource Management (OPCRM), Trade Development, Room 3221, 14th & Constitution Avenue, N.W., Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Mr. Brad Hess, Manager, Market Development Cooperator Program, Trade Development, ITA, Room 3221, Washington, D.C. 20230, (202) 482-3197.

Web Site: Additional information is available at the following Internet address: <http://www.ita.doc.gov/industry/opcrm/mdcp.html>.

Application Kit: Application kits are now available. The application kit contains all forms necessary to participate in the MDCP application process.

Application kits are available at the web site identified above. To obtain an application kit via first class mail, send a written request with a self-addressed mailing label to Mr. Brad Hess, Manager, Market Development Cooperator Program, Trade Development/OPCRM, Room 3221, U.S. Department of Commerce, Washington, D.C. 20230. Application kits can also be picked up in Room 3209, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

SUPPLEMENTARY INFORMATION:

Authority: The Omnibus Trade and Competitiveness Act of 1988, Pub. L. No. 100-418, Title II, sec. 2303, 102 Stat. 1342, 15 U.S.C. 4723.

Catalog of Federal Domestic Assistance (CFDA): No. 11.112, Market Development Cooperator Program.

Program Description: The goal of the MDCP as set out in authorizing legislation is to develop, maintain, and expand foreign markets for non agricultural goods and services produced in the United States. For purposes of this program, nonagricultural goods and services means goods and services other than agricultural products as defined in 7 U.S.C. 451. "Produced in the United States" means having substantial inputs of materials and labor originating in the United States, such inputs constituting at least 50 percent of the value of the good or service to be exported. The intended beneficiaries of the program are U.S. producers of non-agricultural goods or services that seek to export such goods or services.

MDCP funds should not be viewed as a replacement for funding from other sources, either public or private. An important aspect of this program is to increase the sum of federal and non-federal export market development activities. This result can best be achieved by using program funds to encourage new initiatives.

In addition to new initiatives, expansion of the scope of an existing project also may qualify for funding consideration. Eligible organizations that have previously received an MDCP award may propose a new project or expansion of an existing project (but see *Evaluation Criteria* (4) below).

ITA encourages applicants to propose activities that would be most appropriate to the market development needs of their U.S. industry or industries. Examples of activities which applicants might include in an application are set forth below. No one of these activities or any combination of these activities must be included for an application to receive favorable consideration. Many of these activities have been undertaken by current and past MDCP award winners:

(1) Opening an overseas office or offices to perform a variety of market development services for companies joining a consortium to avail themselves of such services; such an office should not duplicate the programs or services of the U.S. and Foreign Commercial Service (US&FCS) post(s) in the region, but could include co-location with a US&FCS Commercial Center;

(2) Detailing a private-sector representative to a US&FCS post in accordance with 15 U.S.C. 4723(c);

(3) Commissioning overseas market research, participating in overseas trade exhibitions and trade missions to promote U.S. exports, and/or hosting reverse trade missions;

(4) Conducting U.S. product demonstrations abroad;

(5) Conducting export seminars in the United States or market penetration seminars in the market(s) to be developed;

(6) Establishing technical trade servicing that helps overseas buyers choose the right U.S. goods or services and to use the goods or services efficiently;

(7) Conducting joint promotions of U.S. goods or services with foreign partners;

(8) Training foreign nationals to perform after-sales service or to act as distributors for U.S. goods or services;

(9) Improving market access for U.S. goods or services by working with organizations in the foreign marketplace

responsible for setting standards and product testing;

(10) Publishing an export resource guide or an export product directory for the U.S. industry or industries in question, if no comparable one exists; and

(11) Establishing an electronic business information system to identify overseas trade leads and facilitate matches with foreign partners for U.S. businesses.

Funding Availability: The total funds expected to be available for this program are \$2.0 million for fiscal year 1999. ITA expects to conclude a minimum of five (5) cooperative agreements with eligible entities for this competition. No award will exceed \$400,000, regardless of the duration of the cooperative agreement.

Matching Requirements: To receive MDCP funding, the applicant must contribute at least two dollars for each federal dollar provided. In satisfying this matching requirement, the applicant must make at least one dollar of new cash outlays expressly for the project for each federal dollar of MDCP funding. The balance of the applicant's support may consist of in-kind contributions (goods and services). Recipient cash contributions are defined in 15 CFR Part 14, Sec. 14.2(g) as the recipient's cash outlay, including the outlay of money contributed to the recipient by third parties. In order for a recipient to outlay cash contributed by a third party, the third party must transfer the funds to the recipient. Otherwise, expenditures for goods and services contributed by a third party are considered to be in-kind contributions. For example, an applicant requesting \$200,000 of federal funds must supply, at a minimum, \$200,000 of new cash outlays expressly for the project. The remaining \$200,000 of the required match, and any additional match proposed, can be made up of additional new cash outlays or in-kind contributions.

Applicants may propose projects for which the matching funding will exceed two applicant dollars to each federal dollar. Applicants should note that a cost-share ratio is established for each award winner based upon the award winner's share of the total cost of the project. Funds are disbursed using this ratio. For example, a project for which the applicant will assume ¾ of the total cost will have a cost share ratio of 75 percent applicant/25 percent federal. In requesting a disbursement of federal dollars, the award winner will have to generate \$3 in grant expenditures for each dollar it wants to obtain in federal grant monies.

In the proposed budget, all in-kind contributions to be used in meeting the applicant's share of costs should be listed in a separate column from cash contributions. A separate budget narrative describing these in-kind contributions should also be included with the proposal. This information should be in sufficient detail for a determination to be made that the requirements of 15 CFR Part 14.23(a), and 15 CFR Part 24.24 (a) and (b) are met.

No indirect costs will be paid with ITA funding under this program, but they may be included in the matching share. ITA will support only a portion of the direct costs of each project. Each applicant will support a portion of the direct costs (to be specified in the application). Generally, direct costs are those that are specifically associated with an award, and usually include expenses such as personnel, fringe benefits, travel, equipment, supplies and contractual obligations relating directly to program activity. Allowable costs will be determined on the basis of the applicable cost principles, i.e., OMB Circulars A-21, A-87, and A-122; 45 CFR Part 74, Appendix E; and 48 CFR Part 31.

Applicants may charge companies in the industry or other industry organizations reasonable fees to take part in or avail themselves of services provided as part of applicants' projects. Applicants should describe in detail any plans to charge fees. Fees generated under the award are program income and must be used for project-related purposes during the award period.

Type of Funding Instrument: Since ITA will be substantially involved in the implementation of each project for which an award is made, the funding instrument for this program will be a cooperative agreement. To administer each cooperative agreement, a project team is established including key personnel from the award winning organization and officials from ITA who can help the award winner achieve MDCP project objectives. If representatives from other federal agencies can make a meaningful contribution to the achievement of project objectives, they are invited to participate on the project team.

Each project team acts as a "board of directors" establishing direction for the project, recommending changes in the direction of the project, when necessary, and determining mode of project operations and other management processes, coupled with close monitoring or operational involvement during the performance of project activities. At the beginning of each fiscal

year, the project team negotiates an annual operating plan setting forth specific activities that will take place, project responsibilities and the cost of each activity. In addition to participating on project teams, ITA staff may work directly on individual MDCP project activities.

Eligibility Criteria: U.S. trade associations, non-profit industry organizations, state trade departments and their regional associations including centers for international trade development, and private industry firms or groups of firms in cases where no entity described above represents that industry, are eligible to apply for cooperative agreements under this program. For the purpose of this program, a "trade association" is defined as a fee-based organization consisting of member firms in the same industry, or in related industries, or which share common commercial concerns. The purpose of the trade association is to further the commercial interests of its members through the exchange of information, legislative activities, and the like.

For the purpose of this program, a "non-profit industry organization" is an organization that is classified as a non-profit organization under Title 26 U.S.C. Section 501(c)(3), (4), (5), or (6) and operates as one of the following:

- (1) A local, state, regional, or national chamber of commerce;
- (2) A local, state, regional, or national board of trade;
- (3) A local, state, regional, or national business, export or trade council/interest group;
- (4) A local, state, regional, or national visitors bureau or tourism promotion group;
- (5) A local, state, regional, or national economic development group;
- (6) A Small Business Administration Small Business Development Center;
- (7) A world trade center; or
- (8) A port authority.

Prospective applicants are strongly encouraged to seek advice on their eligibility to enter the MDCP competition, according to the criteria above. To obtain advice regarding eligibility, the applicant should submit basic organizational documents (e.g., charters, articles of incorporation) and information on types of members, membership fees, ties to state trade departments or their regional associations, organization's purpose, and activities, and non-profit status under Internal Revenue Code provisions. All requests for advice regarding eligibility should be made as soon as possible, allowing enough time before the application deadline for a

response to be useful. Applicants are advised to continue working on proposals while waiting for a response. Absolutely no extensions of the deadline for submitting complete applications will be granted.

Eligible U.S. entities may join together to submit an application as a joint venture and to share costs. For joint venture applicants, one organization meeting the above eligibility criteria must be designated as the prospective MDCP grant recipient organization for administrative purposes. For example, two trade associations representing different segments of a single industry or related industries may pool their resources and submit one application. Foreign businesses and private groups also may join with eligible U.S. organizations to submit applications and to share the costs of proposed projects.

ITA will accept applications from eligible entities representing any industry, subsector of an industry or related industries. Each applicant must permit all companies in the industry in question to participate, on equal terms, in all activities that are scheduled as part of a proposed project whether or not the company is a member or constituent of the eligible organization.

Eligible entities desiring to participate in this program must demonstrate the ability to provide an established, competent, experienced staff and other resources to assure adequate development, supervision, and execution of the proposed project activities. Applicants must describe in detail all assistance expected from ITA or other federal agencies to implement project activities successfully. Each applicant must provide a description of the membership/qualifications, structure and composition of the eligible entity, the degree to which the entity represents the industry or industries in question, and the role, if any, foreign membership plays in the affairs of the eligible entity. Applicants should summarize both the recent history of their industry or industries' competitiveness in the international marketplace and the export promotion history of the eligible entity or entities submitting the application.

Project proposals must be compatible with U.S. trade and commercial policy. ITA priorities are set forth under the "Project Funding Priorities" heading below. Additional information delineating U.S. commercial policy may be obtained from the 1998 Trade Promotion Coordinating Committee's (TPCC's) *National Export Strategy*. Copies of the *National Export Strategy*

are available from TPCC Secretariat by calling (202) 482-5455.

Award Period: Funds may be expended over the period of time required to complete the scope of work, but not to exceed three (3) years from the date of the award.

Indirect Costs: ITA funds cannot be used to pay indirect costs. The total dollar amount of the indirect costs proposed in an application under this program (using recipient funds) must not exceed the indirect cost rate negotiated and approved by a cognizant federal agency prior to the proposed effective date of the award or 100 percent of the total proposed direct costs dollar amount in the application, whichever is less.

Application Forms and Kit: Standard Forms 424 (Rev. 4-92) Application for Federal Assistance, 424A (Rev. 4-92) Budget Information—Non-Construction Programs, 424B (Rev. 4-92) Assurances—Non-Construction Programs, SF-LLL, Disclosure of Lobbying Activities and other Department of Commerce forms (CD-511, Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying; CD-512, Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions and Lobbying), are required as part of the application. See the "FURTHER INFORMATION" section for instructions on getting an application kit.

Submission of Applications: Applicants must submit a signed original and two (2) copies of the application and supporting materials. In addition to the required original plus two copies, applicants are encouraged to submit four (4) additional copies. ITA recognizes that submitting four additional copies may be a financial burden for some applicants. Accordingly, the four additional copies are not required, and applicants who submit only the required original plus two copies will not be scored lower for doing so.

Retention of Applications: For each award winner, the Department of Commerce will retain the signed original of the application for seven years. Copies of winning applications will be distributed to project team members for their use in managing winning projects.

For each eligible application which does not win an award, the Department of Commerce will retain the signed original of the application for seven years and will return copies to the applicant. The return of copies of

applications normally occurs immediately following a debriefing for the unsuccessful applicant. For unsuccessful applicants who do not request a debriefing, ITA returns copies normally within six months of the announcement of the winners of the awards.

If an application is found to be ineligible, ITA will retain the signed original application for seven years and will return all copies of the ineligible application within ten days of the final finding of ineligibility.

Project Funding Priorities: ITA is especially interested in receiving proposals that focus on the ITA priorities listed below. A proposal does not need to encompass all of these priorities to be competitive:

(1) Targeting export-ready SMEs, and offering export assistance services designed to meet the special needs of SMEs as opposed to just offering SMEs the opportunity to participate in activities aimed broadly at the entire export marketing community;

(2) Helping SMEs overcome obstacles to using the Internet and e-commerce effectively;

(3) Providing technical assistance to developing economies to build commercial infrastructure such as regulatory practices;

(4) Building private-sector trade finance knowledge and expertise;

(5) Developing non-traditional approaches to creating demand for the products/services developed from new U.S. technologies;

(6) Improving communication with and outreach to old and new private-sector international trade constituencies and initiating or enhancing public/private export partnerships;

(7) Monitoring foreign compliance with our trade agreements such as sector-specific agreements, the North American Free Trade Agreement, and the World Trade Organization agreements;

(8) Identifying and working to eliminate tariff and non-tariff barriers to market access for U.S. goods or services, including working with organizations in the foreign marketplace responsible for setting standards and for product testing;

Applications may be targeted for any geographic market in the world and/or any industry sector.

Background Research: Developing a project plan requires solid background research. Applications should reflect the findings of the applicant's study of the following:

(1) The market potential of the U.S. good(s) or service(s) to be promoted in a particular market(s);

(2) The competition from host-country and third-country suppliers; and

(3) The economic situation and prospects that bear upon the ability of a country to import the U.S. good(s) or service(s).

In their applications, applicants should present an assessment of industry resources that can be brought to bear on developing a market; the industry's ability to meet potential market demand expeditiously; and the industry's after-sales service capability in a particular foreign market(s).

After describing their completed basic research, applicants should develop marketing plans that set forth the overall objectives of the projects and the specific activities applicants will undertake as part of these projects. Applications should display the imagination and innovation of the private sector working in partnership with the government to obtain the maximum market development impact.

Evaluation Criteria: ITA is interested in projects that demonstrate the possibility of both significant results during the project period and lasting benefits extending beyond the project period. To that end, consideration for financial assistance under the MDCP will be based upon the following evaluation criteria:

(1) Potential of the project to generate export success stories and/or export initiatives in both the short-term and medium-term. For purposes of this program, an export initiative is defined as a significant expenditure of resources (time, people, or money) by the Chief Executive Officer (CEO) of a company in the active pursuit of export sales. Examples of export initiatives include, but are not limited to, the following:

- (a) Participating in an overseas trade promotion event;
- (b) Hiring an export manager;
- (c) Establishing an export department;
- (d) Exploring a new market through an overseas trip by the CEO;
- (e) Developing an export marketing/business plan;
- (f) Translating product literature into a foreign language;
- (g) Making product modifications to comply with foreign market requirements;
- (h) Commissioning an in-depth market research study;
- (i) Advertising in a foreign business publication;
- (j) Undertaking an overseas direct-mail campaign to create product awareness;
- (k) Signing an agent/distributor;
- (l) Getting introduced to a potential foreign buyer;
- (m) Signing an export contract/filling an export order; or

(n) Co-locating with a US&FCS Commercial Center.

Applicants should provide detailed explanations of projected project results.

(2) Projected increase (multiplier effect) in the number of U.S. companies operating in the market(s) selected, particularly SMEs, and the degree to which the project will help the industry in question increase or maintain market share in the market(s) selected. Applicants should provide quantifiable estimates of projected increases.

(3) The degree to which the proposal furthers or is compatible with ITA's priorities stated above and the degree to which the proposal initiates or enhances partnership with ITA.

(4) Creativity, innovation, and realism displayed by the work plan as well as the institutional capacity of the applicant to carry out the work plan. Creativity and innovation can be displayed in a variety of ways. Applicants might propose projects that include ideas not previously tried before to promote a particular industry's goods or services in a particular market. Creativity can be demonstrated by the manner in which techniques are customized to meet the specific needs of certain client groups. A proposal can be creative in the way it brings together the strengths and resources of partners participating in project activities. Further, projects that focus on market development are inherently more creative than projects that focus only on export promotion. Market development is the process of identifying or creating emerging markets or market niches and modifying products to penetrate those markets. Market development is demand driven and designed to create long-term export capacity. In addition to promoting current sales of existing products, market development promotes future sales and future products.

Current or past MDCP applicants should be aware that to be in a position to earn the maximum number of points under this criterion, they should propose projects that are entirely new. A current or past MDCP recipient may propose an expansion of an existing or past MDCP project. In order to earn a high score on criterion (4), the expansion should be the majority of the total project for the proposal. In addition, current or past MDCP applicants that apply proposing an expansion of an existing or past project must clearly demonstrate how the expansion, standing alone, is creative and innovative in accordance with the above definition.

(5) Reasonableness of the itemized budget for project activities, the amount of the cash match that is readily

available at the beginning of the project, and the probability that the project can be continued on a self-sustained basis after the completion of the award.

Current or past MDCP recipients who propose an expansion of an existing project must show how the expansion will achieve self-sustainability independent of current or past projects funded under the MDCP.

Each of the above criteria is worth a maximum of 20 points. The five criteria together constitute the application score. At 20 points per criterion, the total possible score is 100.

Evaluation and Selection Procedures: OPCR staff will review each application for completeness as soon as practicable after the application is received. If the application deadline has not passed, OPCR staff will endeavor to notify the applicant of any deficiency in the application that it has found. The applicant may submit additional information to correct the deficiency. ITA, however, must receive any additional information before the deadline for applications. Responsibility for submitting a complete application in a timely manner remains with the applicant.

Prior to selection, each complete application receives a thorough evaluation. The steps of the evaluation and selection process are set forth below.

(1) OPCR staff, in consultation with the Department of Commerce's Office of General Counsel, reviews all applications to determine the eligibility of each applicant. If an applicant's eligibility is in question, the applicant is contacted to supply additional information or clarification.

(2) When the eligibility review has been completed, the OPCR Director invites comments on applications from relevant offices within ITA (e.g., Trade Development (TD), Market Access & Compliance (MAC), and US&FCS). This review allows ITA experts in the industry sector or geographical region to assess the claims made in the applications. The ITA staff comments also provide insights into both the potential benefits and the potential difficulties associated with the applications.

(3) At least three representatives of OPCR review and comment on all applications. The comments of these OPCR reviewers will include a score for each application based on the evaluation criteria identified above. The MDCP Manager prepares a summary of OPCR staff comments and organizes all comments by ITA staff and applications for the Selection Panel. The scores, the summary, and the staff

comments afford the Selection Panel the insights and breadth of experience of ITA professionals. However, they have no official weight, and the Selection Panel is free to consider or disregard them as it sees fit.

(4) The MDCP Manager forwards all of the applications, along with all related materials, to a Selection Panel of senior ITA managers. This panel is chaired by the OPCR Director and typically includes three other members, one each from ITA's TD, MAC, and US&FCS bureaus. Panel members are Office Directors or higher.

(5) Each Selection Panel member reviews each eligible application and assigns a score for each of the five criteria stated above. The individual criteria scores are averaged to determine the total score for each application.

(6) Based on the scores assigned by Selection Panel members and deliberations by the Selection Panel, the Selection Panel forwards the applications with the ten highest total scores to the Assistant Secretary for Trade Development and recommends which of the ten proposals should receive funding. The Selection Panel's recommendation will not deviate from the rank order. This means that the Selection Panel cannot recommend funding for the application ranked 7th without recommending funding for applicants ranked 1 through 6. The Selection Panel recommendation includes the Panel's written assessment of the strengths and weaknesses of the top ten applications.

(7) From the top ten applications recommended by the Selection Panel, the Assistant Secretary for Trade Development selects those applications which will receive funding. In addition to the evaluation criteria stated above, the Assistant Secretary for Trade Development may consider the following in making his decision:

(a) The evaluations of the individual reviewers of the Selection Panel;

(b) The degree to which applications satisfy ITA priorities as established under the Project Funding Priorities listed above;

(c) The geographic distribution of the proposed awards;

(d) The diversity of industry sectors and overseas markets covered by the proposed awards;

(e) The diversity of project activities represented by the proposed awards;

(f) Avoidance of redundancy and conflicts with the initiatives of other federal agencies; and

(g) The availability of funds.

Announcement of Award Decisions: Award winners will be notified by letter. Once award winners formally

accept their awards, the Department of Commerce will issue a press release and list the award winners on the MDCP Web Site.

Within ten days of the announcement of the issuance of the press release, unsuccessful applicants will be notified in writing and invited to receive a debriefing from MDCP officers.

Performance Measures: On August 3, 1993, the Government Performance and Results Act (GPRA) was enacted into law (Public Law 103-62). GPRA requires each federal agency to submit a strategic plan for program activities to OMB. Among other things, each strategic plan must include "performance indicators to be used in measuring or assessing the relevant outputs, service levels and outcomes of each program activity." While not abandoning outputs (units of products, including services, of an activity) as a measure of achievement, OMB directed agencies to focus more on outcomes (the resulting effect of the use or application of an output) as the primary indicator of the success of programs and activities.

ITA reports results using the GPRA measures defined for its programs and activities. Many of these measures apply only to the programs and activities of ITA and have little relevance to the activities of MDCP award winners. The following performance measures, however, have particular applicability to MDCP projects:

(1) **Outcome Measures:**

a. Dollar value of exports resulting from outputs.

b. Number of new-to-export firms participating in activities.

c. Number of new-to-market firms participating in activities.

d. Degree of customer satisfaction (value of outputs determined by perception of the customer based on their expectation of the output versus the plan, an agreed-upon specification, or other criteria).

(2) **Output Measures:**

a. Number of counseling sessions.

b. Number of clients counseled.

c. Number of reports (publications) prepared.

d. Number of copies of reports (publications) distributed.

e. Number of trade events.

f. Number of firms participating in trade events.

Applicants for this year's MDCP competition should be mindful of these performance measures and should use them wherever possible when estimating projected results in their proposals. Award recipients will use these measures in their quarterly reports and in their end-of-year assessments of project accomplishments. Each

applicant should describe its recording and reporting system in its proposals. In order to demonstrate the success of their projects, applicants are encouraged to develop and utilize additional performance measures. Each recipient of an award should be prepared to record and report the results achieved from project activities.

Other Requirements

(1) **Federal Policies and Procedures.** Recipients and subrecipients are subject to all federal laws and federal and Department of Commerce policies, regulations, and procedures applicable to federal financial assistance awards.

(2) **Past Performance.** Unsatisfactory performance under prior federal awards may result in an application not being considered for funding.

(3) **Pre-Award Activities.** If applicants incur any costs prior to an award being made, they do so solely at their own risk of not being reimbursed by the government. Notwithstanding any verbal or written assurance that they may have received, there is no obligation on the part of the Department of Commerce to cover pre-award costs.

(4) **No Obligation for Future Funding.** If an application is selected for funding, the Department of Commerce has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of the Department of Commerce.

(5) **Delinquent Federal Debts.** No award of federal funds shall be made to an applicant who has an outstanding delinquent federal debt until either:

a. The delinquent account is paid in full;

b. A negotiated repayment schedule is established and at least one payment is received; or

c. Other arrangements satisfactory to the Department of Commerce are made.

(6) **Name Check Review.** All applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management honesty or financial integrity.

(7) **Primary Applicant Certifications.** All primary applicants must submit a completed Form CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug Free Workplace Requirements and Lobbying," and the

following explanations are hereby provided:

a. **Non-Procurement Debarment and Suspension.** Prospective participants (as defined at 15 CFR part 26, section 105) are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

b. **Drug-Free Workplace.** Grantees (as defined at 15 CFR part 26, section 605) are subject to 15 CFR part 26, subpart F, "Government wide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies;

c. **Anti-Lobbying.** Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitations on use of appropriated funds to influence certain federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000, or the single family maximum mortgage limit for affected programs, whichever is greater; and

d. **Anti-Lobbying Disclosures.** Any applicant that has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, Appendix B.

(8) **Lower Tier Certifications.** Recipients shall require applicants/bidders for sub-grants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions and Lobbying" and disclosure form, SF-LLL, "Disclosure of Lobbying Activities." Form CD-512 is intended for the use of recipients and should not be transmitted to the Department of Commerce. SF-LLL submitted by any tier recipient or sub-recipients should be submitted to the Department of Commerce in accordance with the instructions contained in the award document.

(9) **False Statements.** A false statement on an application is grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

(10) **Intergovernmental Review.** Applications under this program are not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

(11) *Buy American-Made Equipment and Products*. Applicants are hereby notified that they will be encouraged, to the greatest extent practicable, to purchase American-made equipment and products with funding provided under this program.

(12) *Fly America Act*. All award recipients must comply with the provisions of the Fly America Act 49 U.S.C. 40118.

Classification: This notice has been determined to be not significant for purposes of Executive Order 12866. The standard forms referenced in this notice are cleared under OMB Control No. 0348-0043, 0348-0044, 0348-0040, and 0348-0046 pursuant to the Paperwork Reduction Act. Notwithstanding any other provision of law, no person is required to respond nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number.

Dated: April 28, 1999.

Jerome S. Morse,

Director, Resource Management and Planning Staff, Office of Planning, Coordination and Resource Management Trade Development, International Trade Administration, Department of Commerce.

[FR Doc. 99-11018 Filed 4-30-99; 8:45 am]

BILLING CODE 3510-DR-P

DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

AGENCY: National Institute of Standards and Technology Commerce.

ACTION: Notice of government owned invention available for licensing.

SUMMARY: The invention listed below is owned in whole or in part by the U.S. Government, as represented by the Department of Commerce. The Department of Commerce's ownership interest in the invention is available for licensing in accordance with 35 U.S.C. 207 and 37 CFR Part 404 to achieve expeditious commercialization of results of Federally funded research and development.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on this invention may be obtained by writing to: National Institute of Standards and Technology, Technology Partnerships Program, Stop 2200, Gaithersburg, MD 20899-2200; Fax 301-869-2751. Any request for information should include the NIST Docket No. and

Title for the relevant invention as indicated below.

SUPPLEMENTARY INFORMATION: NIST may enter into a Cooperative Research and Development Agreement ("CRADA") with the licensee to perform further research on the invention for purposes of commercialization. The invention available for licensing is:

NIST Docket Number: 97-044US.

Title: Multi-Wavelength Cross-Correlator For Ultrashort Radiation Pulses.

Abstract: This invention is jointly owned by the U.S. Government, as represented by the Secretary of Commerce, and the University of Colorado. The measurement of cross correlations and time delays between ultrashort laser pulses of widely different tunable wavelengths has been demonstrated in a greatly simplified device employing semiconductor photodiode materials. Two-color, two-photon induced photoconductivity in a commercial GaAsP photodiode is used for the first time to obtain femtosecond cross-correlation functions for different wavelength pairs. The invention requires no non-linear crystals, no phase matching and no separate detector, as is the case for conventional optical cross-correlation measurements. In the invention, zero time delays and accurate cross correlations were measured for 100 femtosecond laser pulses of dramatically different wavelengths, e.g. 775 nm and 1300 nm. The only restriction for applicable wavelengths is that the sum of the photon energies of the two incident laser beams is above the band gap energy of the semiconductor.

Karen H. Brown,

Deputy Director.

[FR Doc. 99-11002 Filed 4-30-99; 8:45 am]

BILLING CODE 3510-13-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 040599C]

Incidental Take of Marine Mammals; Bottlenose Dolphins and Spotted Dolphins

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of issuance of letters of authorization.

SUMMARY: In accordance with the Marine Mammal Protection Act

(MMPA), as amended, and implementing regulations, notification is hereby given that 1-year letters of authorization to take bottlenose and spotted dolphins incidental to oil and gas structure removal activities were issued on December 29, 1998, to Amerada Hess Corporation, of Houston, TX; on January 27, 1999, to Taylor Energy Company, of New Orleans, LA; on March 1, 1999, to Vastar Resources, Inc., and to Sonat Exploration Co., both of Houston, TX; and on April 27, 1999, to Samedan Oil Corporation, of Houston, TX and Chevron U.S.A. Production Company, of New Orleans, LA.

ADDRESSES: The applications and letters are available for review in the following offices: Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910, and the Southeast Region, NMFS, 9721 Executive Center Drive N, St. Petersburg, FL 33702.

FOR FURTHER INFORMATION CONTACT: Kenneth R. Hollingshead, Office of Protected Resources, NMFS, (301) 713-2055 or David Bernhart, Southeast Region (813) 570-5312.

SUPPLEMENTARY INFORMATION: Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs NMFS to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region, if certain findings are made and regulations are issued. Under the MMPA, the term "taking" means to harass, hunt, capture, or kill or to attempt to harass, hunt, capture or kill marine mammals.

Permission may be granted for periods up to 5 years if NMFS finds, after notification and opportunity for public comment, that the taking will have a negligible impact on the species or stock(s) of marine mammals and will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses. In addition, NMFS must prescribe regulations that include permissible methods of taking and other means effecting the least practicable adverse impact on the species and its habitat, and on the availability of the species for subsistence uses, paying particular attention to rookeries, mating grounds, and areas of similar significance. The regulations must include requirements pertaining to the monitoring and reporting of such taking. Regulations governing the taking of bottlenose and spotted dolphins incidental to oil and gas structure removal activities in the Gulf of Mexico were published on